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BGC Real Estate of Nevada LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

NEWMARK GROUP INC., G&E
ACQUISITION COMPANY LLC, and
BGC REAL ESTATE OF NEVADA LLC,

Plaintiffs,

vs.

AVISON YOUNG (CANADA) INC.,
AVISON YOUNG (USA) INC., AVISON
YOUNG-NEVADA LLC, MARK ROSE,
THE NEVADA COMMERCIAL GROUP,
JOHN PINJUV, and JOSEPH KUPIEC; DOES
1 through 5; and ROE BUSINESS ENTITIES
6 through 10,

Defendants.

Case No. 2:15-cv-00531-RFB-EJY

**PLAINTIFFS' UNOPPOSED MOTION
FOR LEAVE TO FILE RESPONSE
BRIEF EXCEEDING LR 7-3's PAGE
LIMIT IN OPPOSITION TO
DEFENDANTS' MOTION TO EXCLUDE
THE TESTIMONY OF PLAINTIFFS'
EXPERT CHRISTOPHER SPADEA**

1 Plaintiffs¹ through their counsel, move this Court under Local Rule 7-3 for an order
 2 allowing them to file a response in opposition to Defendants' motion to exclude expert testimony
 3 (Defs.' Mot. to Exclude, ECF No. 644) that exceeds the twenty-four-page limit set forth in LR 7-
 4 3.

5 In support of this motion, Plaintiffs submit the following Declaration of Tina B. Solis
 6 showing good cause for the relief requested:

7 **DECLARATION OF TINA B. SOLIS**

8 I, Tina B. Solis, declare as follows:

9 1. I am a legal adult of sound mind with personal knowledge of the facts stated in this
 10 declaration and could testify competently to those facts if called on to do so.

11 2. I am a partner in the law firm of Nixon Peabody LLP.

12 3. I am lead counsel in this litigation for Plaintiffs.

13 4. This declaration is submitted in support of Plaintiffs' unopposed motion for leave to
 14 file a response exceeding LR 7-3's page limit in opposition to Defendants' motion to exclude the
 15 testimony of Plaintiffs' expert Christopher Spadea ("Spadea").

16 5. Given the numerous factual and legal issues raised in Defendants' motion, the
 17 extensive amount of information to be addressed in responding to Defendants' arguments, and the
 18 fact that Defendants' motion is cross-referenced in their dispositive motions (*see* NCG Defs.' MSJ,
 19 ECF No. 629, at 24; AY Defs.' MSJ, ECF No. 637 at 60), Plaintiffs submit that there is good cause
 20 to permit them to file a thirty-page response brief.

21 6. Defendants do not oppose Plaintiffs' request.

22 7. In accordance with 28 U.S.C. § 1746, I, Tina B. Solis, declare under penalty of
 23 perjury that the foregoing is true and correct.

24 Executed this 22nd day of June, 2023, in Chicago, Illinois.

25
 26
 27 1 "Plaintiffs" refers to all parties listed in the caption as plaintiffs, and "Defendants" refers to all parties listed in the
 28 caption as defendants.

CONCLUSION

Based upon the foregoing declaration, and for good cause shown, Plaintiffs respectfully request the entry of an order granting them leave to file a thirty-page response brief, excluding exhibits, in opposition to Defendants' motion to exclude Spadea's expert testimony.

Dated: June 22, 2023

Respectfully submitted,

/s/ *Tina B. Solis*

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*Attorneys for Plaintiffs Newmark Group Inc.,
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ORDER

IT IS SO ORDERED.

Elayna J. Zouachah
UNITED STATES MAGISTRATE JUDGE

Dated: June 23, 2023